

GENERAL PERMIT FOR MINOR DREDGING

This general permit allows minor dredging and filling activities within reservoirs managed by the Corps of Engineers and the Tennessee Valley Authority. Minor dredging activities typically include, but are not limited to, excavation of the lakebed to establish boat access by both private and commercial marinas and boathouses. Minor filling activities typically include fill for marina and boathouse construction. For the purposes of this general permit minor dredging is defined as projects where the total quantity of material excavated within the water column does not exceed 200 cubic yards, and total excavation or fill below ordinary high water does not exceed 500 cubic yards.

Minor dredging and fill activities within water resource development project lands and waters, including flowage easement, managed by the Tennessee Valley Authority or the U. S. Army Corps of Engineers are hereby permitted by this general permit, provided the activity is done according to the terms and conditions of this general permit.

Notification

Notification to the Division is not required for minor dredging and filling activities within reservoirs managed by the Corps of Engineers and the Tennessee Valley Authority conducted in accordance with this general permit. However, all of the general terms and conditions below apply.

Exclusions

This general permit cannot be used to authorize work in the following circumstances:

- (a) where wetlands will be adversely affected by the proposed work;
- (b) when the activity is located in any waterway which is identified by the Department as having contaminated sediments, and where the proposed work will likely mobilize the contaminants;
- (c) where the activity is located in a component of the National Wild and Scenic River System, a State Scenic River, or waters designated as Outstanding National Resource Waters;
- (d) when the project will adversely affect a species formally listed on State or Federal lists of threatened or endangered species; or
- (e) when an individual permit is required.

Minor dredging activities not qualifying for authorization by this general permit may be authorized by individual permit provided all requirements of the *Tennessee Water Quality Control Act of 1977* are met.

General Terms and Conditions

- 1) Prior authorization must be obtained by the applicant pursuant to applicable provisions of §10 of *The Rivers and Harbors Act of 1897*, §404 of the *Clean Water Act* and §26a of *The Tennessee Valley Authority Act*.
- 2) Excavation or fill within the water column cannot exceed 200 cubic yards of material, and total excavation or fill below ordinary high water cannot exceed 500 cubic yards.
- 3) All materials to be discharged or placed below ordinary high water must be free of pollutants, contaminants, toxic materials, trash, creosote treated timbers, or other wastes as defined by T.C.A. 69-3-103(18).

- 4) Dredged materials shall be removed to an upland site and disposed in such a manner as to prevent reentry to waters of the State.
- 5) Erosion and sedimentation control measures are required where soil will be disturbed. The control measures must be in place before earthmoving operations begin, maintained throughout the construction period and repaired, if necessary, after rainfall. Control measures such as straw bales and/or silt fence must be installed along the base of all fills and cuts, on the down hill side of stock piled soil, and along the lake shore in cleared areas to prevent movement of sediments into the waters. They must be installed parallel to the lakeshore, entrenched and staked, and extend the width of the area to be cleared.
- 6) Slurry water pumped from work areas and excavations must be held in settling basins or treated by filtration prior to its discharge into surface waters. Water must be held in sediment basins until at least as clear as the receiving waters. Sedimentation basins shall not be located on the bank closer than 20 feet from the water line. Sediment basins and traps shall be properly designed according to the size of the drainage areas or volume of water to be treated.
- 7) Clearing, grubbing and other disturbance to riparian vegetation shall be limited to the minimum necessary for grading work and equipment operations. Unnecessary vegetation removal is prohibited. All disturbed areas shall be properly stabilized as soon as practicable.
- 8) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.
- 9) Upon achievement of final grade, all disturbed areas above ordinary high water must be stabilized and re-vegetated within 30 days by sodding or seeding and mulching. Seed to be utilized shall include a combination of annual grains and grasses, legumes, and perennial grasses. Lime and fertilizer shall be applied as needed to achieve a vegetative cover.
- 10) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.

Effective Date July 1, 2000

APPROVED: _____

Expiration Date June 30, 2005

Paul Davis, Director